

Assembly Bill No. 635

Passed the Assembly September 2, 2003

Chief Clerk of the Assembly

Passed the Senate August 27, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 6930 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 635, Wiggins. Salmon and steelhead salmon: effect of reduced waterflow.

(1) Existing law requires the Department of Fish and Game to contract with the University of California to conduct a study on the effects of reduced waterflows in certain rivers on salmon and steelhead populations and restoration or reintroduction programs. Existing law prohibits the State Water Resources Control Board from approving an application to appropriate water from any river subject to the study until the department completes the study if the application involves the delivery of water by means other than a pipeline or aqueduct to a place outside a certain protected area.

This bill, for the purposes of the study, would require the department to select rivers that, among other things, are subject to an application to appropriate water involving the delivery of water by means other than a pipeline, natural watercourse, well, or aqueduct to a place of use that is outside that described protected area. The bill would prohibit the board from approving an application to appropriate water, as described, until the study has been completed.

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the department to pay all necessary expenses incurred in carrying out the Fish and Game Code.

By imposing duties on the department, this bill would make an appropriation.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 6930 of the Fish and Game Code is amended to read:

6930. (a) Subject to the availability of funds for the purposes of this section, the department shall contract with the University



of California to conduct a study of the effects that reduced waterflows at the mouths and upstream estuaries of rivers selected under subdivision (b) would have on existing salmon and steelhead populations and on existing or prospective salmon and steelhead population restoration or reintroduction programs.

(b) The department shall select the rivers to be included in the study and shall limit its selection to rivers that are within the combined river systems described in paragraph (7) of subdivision (a) of Section 1215.5 of the Water Code, and that are the subject of an application that has been filed with the State Water Resources Control Board to appropriate water in an amount equal to more than three cubic feet per second or more than 500 acre feet per annum of storage, involving the delivery of water by means other than a pipeline, natural watercourse, well, or aqueduct to any place of use that is outside of the protected area described in paragraph (7) of subdivision (a) of Section 1215.5 of the Water Code.

(c) The findings of the study conducted under this section shall be a factor in any decision of the State Water Resources Control Board to approve or deny an application to appropriate water from any river selected under this section. If the application involves the delivery of water, by means other than a pipeline, natural watercourse, well, or aqueduct, to any place of use that is outside of the protected area described in paragraph (7) of subdivision (a) of Section 1215.5 of the Water Code, the board may not approve that application until after the study has been completed.

(d) Any study conducted pursuant to this section shall conclude within five years of the start of that study.

(e) This section applies to the University of California only if the Regents of the University of California, by resolution, make it applicable to the university.



Approved _____, 2003

Governor

